

## REMARKS

By the present Amendment, claims 8 and 17 are amended and claim 18 is added. This leaves claims 8-18 pending in the application, with claims 8 and 17 being independent.

### Rejection Under 35 U.S.C. § 103

Amended claim 8 covers a process for producing a foamed part having at least one adhesive closing part 1 with adhesive closing elements 2. The method comprises forming a one-piece, unitary adhesive closing part, placing the adhesive closing part in a foam injection mold 4, and injecting molding material into the mold to produce the foamed part. The adhesive closing part includes a base with adhesive elements extending in a first direction from one of its surfaces. The base has variable edge portions 5 free of adhesive elements such that the base forms a foam retaining cover 3 projecting laterally beyond an area of the base supporting the adhesive elements. The cover has ferromagnetic components formed as an integral part of it. The adhesive closing part is placed in the foam mold such that the free ends of the adhesive elements are arranged substantially in one plane, substantially perpendicular to the first direction and substantially parallel to the one surface of the base, with the edge portions of the adhesive closing part and in separable contact with the foam injection mold. The adhesive closing part is releasably retained in place in the foam injecting mold by a retaining mechanism 6.

Amended claim 17 covers an adhesive closing part 1 for use in a process for producing a foamed part with the adhesive closing part thereon. The closing part comprises a cover 3 and adhesive elements 2. The cover has edge portions 5 and ferromagnetic properties as an integral part thereof. The edge portions have a mold engaging surface on a first side of said cover. The

adhesive elements extend directly from the first side of the cover in a first direction between the edge portions, with the edge portions being free of said adhesive elements. The adhesive elements have free ends substantially coplanar with the mold engaging surface of the edge portions of the cover in a plane substantially perpendicular to the first direction and substantially parallel to the first side. The adhesive elements are formed unitarily as one piece with the cover.

By performing the method and forming the adhesive closing part in this manner, the mounting of the adhesive closing part in the mold to avoid contamination of the adhesive parts by the foamed material is simplified and made more cost effective. Since the adhesive closing part protects itself from the contamination by providing its own cover, no additional covers are necessary. The molding process is simplified and facilitated by the omission of parts that need to be removed to expose the adhesive elements for use. The secure connection of the edge portions to the mold provide an effective seal against infiltration of the molding material. Since the free ends of the adhesive elements are coplanar with the mold engaging surfaces of the edge portions, the adhesive closing part can be suitably mounted in the mold without forming a recess in the mold. Rather, with the method of the present claimed invention and with the adhesive closing part of the present claimed invention, the closing part can be attached to a flat, planar surface of the mold, i.e., a mold surface without a groove or recess to receive the adhesive elements. The omission of the groove or recess facilitates cleaning of the mold for expediting reuse of the mold.

Claims 8-12 and 14-17 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 4,673,542 to Wigner in view of U.S. Patent No. 4,814,036 to Hatch. The Wigner patent is cited for a fastener strip assembly 31 having a plastic strip 32 with loops 32a, a cloth backing strip 33 and a liner 50. A steel strip 52 is centrally located between cloth backing

strip 35 and backing strip 34b to provide ferromagnetic properties interacting with mold magnet 46. The Wigner liner side edges 50a and 50b are alleged to provide the edge portions of the closing part which are free of adhesive elements and coplanar with the adhesive element free ends. The Hatch patent (column 5, lines 35-46) is cited for using magnets adjacent the side edges of the fastener strip. In support of the rejection, it is contended that it would be obvious to use the Hatch side edge magnets in the Wigner fastener strip, in lieu of the centrally located ferromagnetic member.

As clearly illustrated in Figs. 4-6 of the Wigner patent, a recess 44 is provided in the Wigner mold 40 to receive hooks 34a. In this manner, the free ends of the Wigner hooks 34a are not coplanar with the adjacent surface of the backing strip 34b of fastener strip 34b, or the adjacent surface of backing 33, but are spaced apart in separate planes. Each of these separate planes are substantially perpendicular to the direction hooks 34a extend from a face of backing strip 34b, and are parallel to that face of the backing strip. The claimed coplanar nature is relative to a plane substantially perpendicular to the direction the adhesive elements extend from the surface of the closing part base and substantially parallel to that base. A plane represented by Fig. 5 of the Wigner patent is coplanar or parallel to the extension direction of hooks 43 and perpendicular to the surface of base 34b from which the hooks extend, contrary to the claimed limitations.

Relative the claimed coplanar limitation allegedly being disclosed in the Wigner patent, the Office Action states:

Assuming that the free ends of hooks 34a extend into recess 44, a portion of liner 50, which also extends into recess 44 and represents a lower edge portion of the structure, would fall in the same plane as those free ends if a plane parallel to the main mold surface of Wigner et al. but below the mold surface running through the free ends was regarded as the one plane.

However, the portions of Wigner liner 50 within recess 44 are the center portion 50c and those vertical portions engaging recess side surfaces 44b and 44c. The portion 50c is spaced from and not coplanar with the free ends of hooks 34a, as clearly illustrated in Fig. 5. The vertical portions extend in vertical planes, and not in one plane with the free ends of hooks 34a, as required in claims 8 and 17. No surface of the Wigner vertical portions extends in a plane substantially perpendicular to the extension direction of hooks 34a from a face of backing strip 34b, and parallel to that face of the backing strip. Only a line contact would exist in such plane between those vertical portions and recess side surfaces 44b and 44c.

Claims 8 and 17 are also patentably distinguishable over the Wigner and Hatch patents since the Wigner and Hatch patents each do not anticipate or and together do not render obvious a one-piece, unitary adhesive closing part with a base or cover and adhesive closing elements, and edge portions being free of closing elements and having a mold engaging surface coplanar with the free ends of the adhesive elements. Particularly, the Wigner fastener strip 34 and liner 50 are separate members that do not form a one-piece, unitary adhesive closing part, as claimed. To satisfy this claim limitation, the closing part must be a single, molded part, not two separately formed parts which are later joined. Additionally, the Wigner center steel strip and the Hatch

pair of smaller magnets do not form a ferromagnetic component which is formed as an integral part of the one piece, unitary adhesive closing part.

The Wigner liner 50 does not satisfy the claim limitations since it does not have the adhesive elements extending from it, particularly directly from it as recited in claim 17. Further, the Wigner fastener strip 34 has its fastener elements extending across the entire width of its base strip 34b, and thus, does not have edge portions free of adhesive elements, and does not have edge portions which are coplanar with the free ends of the adhesive elements.

Accordingly, claims 8 and 17 are patentably distinguishable over the Wigner patent.

None of the other cited patents cure the deficiencies in the Wigner patent.

Claims 9-16, being dependent upon claim 8, are also allowable for the above reasons. Moreover, these dependent claims recite additional features further distinguishing them over the cited patents. Specifically, the embedded ferromagnetic components of claim 9, the use of ferromagnetic components in a layer of claim 10, the cooperation with the retaining elements in the foam injecting mold generating magnetic fields of claim 11, the use of edge portions extending along two lengthwise edges of the adhesive closing part of claim 12, the sol-gel process of claim 13, the use of adhesive base material of claim 14, the use of permanent magnets of claim 15, and the use of the materials of claim 16 and the adhesive elements free ends and edge portions contacting a mold planar surface of claim 18 are not anticipated or rendered obvious by the cited patents, particularly within the overall claimed combination.

In view of the foregoing, claims 8-17 are allowable. Prompt and favorable action is solicited.

Respectfully submitted,

  
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